



Focus

Measuring water use: an update

FOR MORE INFORMATION

Web Page

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Northwest Region, Bellevue

Greg Stegman
425-649-7217
gste461@ecy.wa.gov

Southwest Region, Lacey

Vicki Cline
360-407-0278
vwin461@ecy.wa.gov

Central Region, Yakima

Ken Schuster
509-575-2490
ksch461@ecy.wa.gov

Eastern Region, Spokane

Leigh Fiedler
509-329-3541
lfie461@ecy.wa.gov

Definition: Source Water Measuring

The measurement of ground water withdrawals or surface water diversions, commonly referred to as source metering, involves the installation of measurement devices where water is withdrawn from the ground or diverted from surface water to determine how much is being used and when it is being used.

Introduction

Requirements for Measuring and Reporting Water Use, Chapter 173-173 WAC, became effective Jan. 21, 2002. The new rule updates an old rule adopted in 1969 (Chapter 508-64 WAC) and includes requirements from the 1993 state water measuring law.

Measuring water at the source of a surface water diversion or ground water withdrawal benefits the public in many ways, such as:

- Informing water users how much water they are using which allows them to better manage their water use.
- Providing a tool for ensuring compliance with water rights and increasing fairness among users who measure and those who don't.
- Supplying information for water resource planning and management.

Why is there a new rule?

In March 1999, American Rivers, the Center for Environmental Law and Policy, Washington Environmental Council, Pacific Coast Federation of Fishermen's Associations, and the Institute for Fisheries Resources filed suit against the Department of Ecology (Ecology) for not complying with the 1993 state water measurement law. This law requires the measuring of all surface water diversions.

In December 2000, the Thurston County Superior Court issued a final ruling and ordered Ecology to submit a compliance plan to the court which was done on March 30, 2001. It describes how Ecology will begin to bring its water compliance program into line with the state water measuring law by Dec. 31, 2002. One of the major requirements of the plan is:

"Water measurement by the biggest water users in each of the 16 watersheds, where fish stocks have been classified as critical and depressed because of low stream flows by the Washington Department of Fish and Wildlife."

The compliance plan – implementing the rule

The compliance plan calls for those water users totaling 80% of water use in each of the 16 "fish critical" watersheds to conform their measuring and reporting practices with the requirements of the revised water measuring rule. This will only affect a small percentage, approximately 1000, of water-right holders statewide. The majority of these water users are already measuring their water,

such as public utilities and large agricultural operations. However, identified parties will now need to submit their measuring data to Ecology.

Informal letters will be mailed to all those water-right holders identified as using 80% of the water in the fish critical watersheds to notify them that they will receive an order. The actual regulatory orders will be mailed according to the timetable below.

Additionally, under Chapter 173-173 WAC, Ecology will require water right holders requesting changes or extensions to existing rights to measure and report in some circumstances.

Ecology is preparing forms to assist water right holders in submitting the required data. You will be able to submit data over the Internet at Ecology's website, electronically by either e-mail or on a diskette/CD, or by hand on Ecology-approved forms, which will be sent to you in December at the end of each year or in the first week of January at the beginning of each year. If you want to use electronic submittal, all you have to do is request the electronic form from the regional office serving your area.

Cost-sharing grants for measuring devices available now

The state legislature has provided \$3.4 million in grants to assist water users in purchasing water measuring devices. Information on eligibility and how you can apply for cost-share is available either on the web page or by contacting regional staff (see side bar on page 1).

Compliance plan timeline

In the 16 "fish critical" watersheds:

March 31, 2002: Issue measurement orders to holders of claims, permits and certificates who are already required to measure so they conform to the revised rule.

June 30, 2002: Issue measurement orders to 25 percent of the holders the largest claims, permits and certificates.

Sept. 30, 2002: Issue measurement orders to an additional 50 percent of the holders of the largest claims, permits and certificates.

Dec. 31, 2002: Issue measurement orders to the remaining holders of the largest claims, permits and certificates.

The state law

Under amendments to the 1993 state water law (RCW 90.03.360), measuring is required for all surface water diversions. Ecology must require measuring as a condition for all new water rights *and* for existing water rights that meet at least one of the following criteria:

- Surface water diversions greater than one cubic foot of water per second, or,
- Diversions and withdrawals from surface and ground water sources that support fish stocks classified as critical and depressed by the Washington Department of Fish and Wildlife.

The next stage of implementation

In 2003 Ecology will evaluate the need to require additional users to record and report water use information.

The 16 fish-critical watersheds:

<u>West</u>	<u>East</u>
Nooksack	Methow
Elwha/Dungeness	Okanogan
Quilcene/Snow	Wenatchee
Snohomish	Upper Yakima
Cedar/Sammamish	Naches
Duwamish/Green	Lower Yakima
Chambers/Clover	Walla Walla
Puyallup/White	Middle Snake

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